

SEPTEMBER 2018 — ADI NEWS ALERT

This alert¹ discusses these matters:

[Consider issues based on new Penal Code section 1001.35–1001.36, diversion for individuals with mental disorders.](#)

[Use proper form for JCC contact information changes.](#)

[Always sign up for automatic email notification of new entries in the court's docket for your cases.](#)

[New practice article for the Going in Style series -- Typography, part 1.](#)

Consider issues based on new Penal Code sections 1001.35–1001.36, diversion for individuals with mental disorders

New Penal Code sections [1001.35 and 1001.36](#) have created the possibility of diversion for defendants with mental disorders. (Added by Stats. 2018, Ch. 34, Sec. 24. (AB 1810), effective June 27, 2018.) This possibility in turn presents potential appellate issues — and risks. Division Three has been especially active in seeking briefing on the topic. A new entry on the [Recent Changes in the Law / Statutes](#) page explores the topic and the question of the retroactivity of these provisions. Ask your buddy for some sample briefing. Although the law is quite new, we're starting to gather some samples.

Use proper form for JCC contact information changes

Omar Palacio, our panel management coordinator, reminds panel attorneys to use the proper JCC form when reporting a change in contact information. [The form is on ADI's website](#). It is accessible through the *Panel ABCs* dropdown menu, under *Attorney Information Change*. Send the original to the JCC and a copy to Omar at OAP@adi-sandiego.com. Changes should be reported promptly in order to avoid delaying compensation payments.

¹As always, panel attorneys are responsible for familiarizing themselves with all ADI news alerts and other resources on the ADI website.

Always sign up for automatic email notification of new entries in the court’s docket for your cases

This is another repeat. We expect panel attorneys *always* to sign up for automatic email notification of new entries on the court’s [online docket](#) for their cases. This is a responsible (and, in ADI’s eyes, *essential*) step to back up calendars, TrueFiling, etc., in tracking cases. Just recently TrueFiling made a mistake and failed to serve a panel attorney with the district attorney’s brief in a People’s appeal. The email notification about the filing from the court alerted the panel attorney to the problem and enabled the attorney to get a copy and start timely preparation of the respondent’s brief.

Conversely, several times panel attorneys who had failed to sign up have found themselves blind-sided when an important document (such as an opinion) was not delivered to them and they missed the deadline for filing an applicable pleading. Courts may not be very sympathetic to the attorney’s predicament if the attorney had failed to take the simple step of registering for email notification.

Registering is easy. At the bottom of the page for each of your cases is a sentence saying “Click [here](#) to request automatic e-mail notifications about this case.” On the resulting page, enter your email address and select the notifications you want. (You may find it easiest and safest to choose “Check all.”) Soon after you click “Register for notification,” you’ll get an email with a link to the docket for the case. Click the link to confirm your request. Done!

New practice article for the Going in Style series – Typography, part 1

Staff attorney Art Martin follows his inaugural Going in Style column (which was on [citations](#)) with [part 1 on the topic of typography](#). He touches on a number of points in the areas of type composition and text formatting. The points under type composition include quotation marks, emphasis, hyphens and dashes, and spacing after sentences. Text formatting includes the use of all capitals, initial capitals (“title case”), mixing fonts, font size, and font selection. If any of these topics has been especially vexing to you, or you admittedly don’t know the applicable rules, check out what Art has to say. He especially refers to typographical experts Matthew Butterick and Ruth Anne Robbins, although he makes use of well-known speaker Bryan Garner, as well.

This series is intended to help panel attorneys make knowledgeable decisions on how to present their arguments most effectively, with the goals of grabbing and keeping the reader’s attention, making oneself understood easily, and avoiding being misunderstood. After all, we appellate lawyers are professional writers. The series is accessible on the ADI [Practice Articles page](#) under *Advocacy: Selecting and Persuasively Arguing Issues* or *Appellate Practice, General*.